

DO NOT SIGN  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: NOV 13 2013

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v.-

ELFEGO BOYD,  
a/k/a "Kush da Dawn," and  
NORMAN DARBY,  
a/k/a "Panama Black,"  
a/k/a "Black,"

Defendants.

INDICTMENT

13 Cr. \_\_\_\_

**13 CRIM890**

COUNT ONE

(Conspiracy to Commit Sex Trafficking)

The Grand Jury charges:

1. From at least in or about September 2010, up to and including in or about June 2012, in the Southern District of New York and elsewhere, ELFEGO BOYD, a/k/a "Kush da Dawn," and NORMAN DARBY, a/k/a "Panama Black," a/k/a "Black," the defendants, willfully and knowingly, in and affecting interstate commerce, did combine, conspire, confederate and agree to recruit, entice, harbor, transport, provide, obtain, and maintain, by any means, a person, and to benefit, financially and by receiving anything of value, from participation in a venture which has engaged in any such act, knowing and in reckless disregard of the fact that the person had not attained the age of 18 years and would be caused to engage in a commercial sex act, in violation of Title 18, United States

**JUDGE PATTERSON**

Code, Sections 1951(a)(1) and (b)(2), to wit, BOYD, DARBY and others known and unknown recruited, enticed, transported, provided and maintained individuals who were less than 18 years-old (the "Minor Victims"), and caused the Minor Victims to engage in commercial sex acts that benefitted BOYD and DARBY financially.

**OVERT ACTS**

2. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. In or about September 2010, NORMAN DARBY, a/k/a "Panama Black," a/k/a "Black," the defendant, in the Bronx, New York, caused an advertisement to be posted on the classifieds website Backpage.com, offering to provide for commercial sex an individual under the age of 18 years old.

b. In or about March 2011, ELFEGO BOYD, a/k/a "Kush da Dawn," the defendant, in the Bronx, New York, caused an advertisement to be posted on the classifieds website Backpage.com, offering to provide for commercial sex an individual under the age of 18 years old.

c. In or about April 2012, BOYD, in the Bronx, New York, caused an advertisement to be posted on the classifieds website Backpage.com, offering to provide for commercial sex an

individual under the age of 18 years old.

(Title 18, United States Code, Section 1594(c).)

COUNT TWO

(Sex Trafficking of Minor Victim-1)

The Grand Jury further charges:

3. From at least in or about September 2010, up to and including in or about November 2011, in the Southern District of New York and elsewhere, ELFEGO BOYD, a/k/a "Kush da Dawn," and NORMAN DARBY, a/k/a "Panama Black," a/k/a "Black," the defendants, willfully and knowingly, in and affecting interstate commerce, did recruit, entice, harbor, transport, provide, obtain, and maintain, by any means a person, and did benefit, financially and by receiving anything of value, from participation in a venture which has engaged in any such act, knowing and in reckless disregard of the fact that the person had not attained the age of 18 years and would be caused to engage in a commercial sex act, to wit, BOYD and DARBY recruited, enticed, transported, provided and maintained an individual who was less than 18 years old ("Minor Victim-1"), and caused Minor Victim-1 to engage in at least one commercial sex act that benefitted BOYD and DARBY financially.

(Title 18, United States Code, Sections 1591(a), (b)(2) and 2.)

COUNT THREE

(Sex Trafficking of Minor Victim-2)

The Grand Jury further charges:

4. From at least in or about April 2012, up to and including in or about May 2012, in the Southern District of New York and elsewhere, ELFEGO BOYD, a/k/a "Kush da Dawn," the defendant, willfully and knowingly, in and affecting interstate commerce, did recruit, entice, harbor, transport, provide, obtain, and maintain, by any means a person, and did benefit, financially and by receiving anything of value, from participation in a venture which has engaged in any such act, knowing and in reckless disregard of the fact that the person had not attained the age of 18 years and would be caused to engage in a commercial sex act, to wit, BOYD recruited, enticed, transported, provided and maintained an individual who was less than 18 years old ("Minor Victim-2"), and caused Minor Victim-2 to engage in at least one commercial sex act that benefitted BOYD financially.

(Title 18, United States Code, Sections 1591(a), (b) (2) and 2.)

COUNT FOUR

(Sex Trafficking of Minor Victim-3)

The Grand Jury further charges:

5. From at least in or about April 2012, up to and including in or about June 2012, in the Southern District of New

York and elsewhere, ELFEGO BOYD, a/k/a "Kush da Dawn," the defendant, willfully and knowingly, in and affecting interstate commerce, did recruit, entice, harbor, transport, provide, obtain, and maintain, by any means a person, and did benefit, financially and by receiving anything of value, from participation in a venture which has engaged in any such act, knowing and in reckless disregard of the fact that the person had not attained the age of 18 years and would be caused to engage in a commercial sex act, to wit, BOYD recruited, enticed, transported, provided and maintained an individual who was less than 18 years old ("Minor Victim-3"), and caused Minor Victim-3 to engage in at least one commercial sex act that benefitted BOYD financially.

(Title 18, United States Code, Sections 1591(a), (b)(2) and 2.)

**COUNT FIVE**

(Use of Interstate Commerce to Promote Unlawful Activity)

The Grand Jury further charges:

6. From at least in or about March 2011, up to and including in or about November 2011, in the Southern District of New York and elsewhere, ELFEGO BOYD, a/k/a "Kush da Dawn," and NORMAN DARBY, a/k/a "Panama Black," a/k/a "Black," the defendants, did use and cause to be used facilities in interstate and foreign commerce, with the intent to promote, manage, establish, carry on and facilitate the promotion,

management, establishment and carrying on of an unlawful activity, and thereafter performed and attempted to perform an act to promote, manage, establish and carry on, and to facilitate the promotion, management, establishment and carrying on of such unlawful activity, to wit, BOYD and DARBY used cell phones and the internet to promote, manage, establish and carry on a criminal business enterprise engaged in sex trafficking and promoting prostitution in violation of New York Penal Law §§ 230.20 and 230.34.

(Title 18, United States Code, Sections 1952(a)(3) and 2.)

**COUNT SIX**

(Use of Interstate Commerce to Promote Unlawful Activity)

The Grand Jury further charges:

7. From at least in or about April 2012, up to and including in or about June 2012, in the Southern District of New York and elsewhere, ELFEGO BOYD, a/k/a "Kush da Dawn," the defendant, did use and cause to be used facilities in interstate and foreign commerce, with the intent to promote, manage, establish, carry on and facilitate the promotion, management, establishment and carrying on of an unlawful activity, and thereafter performed and attempted to perform an act to promote, manage, establish and carry on, and to facilitate the promotion, management, establishment and carrying on of such unlawful activity, to wit, BOYD used cell phones and the internet to

promote, manage, establish and carry on a criminal business enterprise engaged in sex trafficking and promoting prostitution in violation of New York Penal Law §§ 230.20 and 230.34.

(Title 18, United States Code, Sections 1952(a)(3) and 2.)

#### FORFEITURE ALLEGATION

8. As a result of committing the sex trafficking offense as alleged in Counts One through Six of this Indictment, ELFEGO BOYD, a/k/a "Kush da Dawn," and NORMAN DARBY, a/k/a "Panama Black," a/k/a "Black," the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 1594: (1) any property, real and personal, used or intended to be used to commit or to facilitate the commission of the offense; and (2) any property, real and personal, constituting or derived from, any proceeds obtained, directly or indirectly, as a result of the offense.

#### Substitute Asset Provision

9. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

(a) cannot be located upon the exercise of due diligence;

(b) has been transferred or sold to, or deposited with, a third person;

(c) has been placed beyond the jurisdiction of the Court;

(d) has been substantially diminished in value; or

(e) has been commingled with other property which cannot be subdivided without difficulty;  
it is the intent of the United States, pursuant to 21 U.S.C. § 853(p) and 28 U.S.C. § 2461(c), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 1594;  
Title 21, United States Codes, Section 853; and  
Title 28, United States Code, Section 2461.)

  
FOREPERSON

  
PREET BHARARA  
United States Attorney



Form No. USA-33s-274 (Ed. 9-25-58)

---

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

---

UNITED STATES OF AMERICA

- v. -

ELFEGO BOYD,  
a/k/a "Kush da Dawn," and

NORMAN DARBY,  
a/k/a "Panama Black,"  
a/k/a "Black,"

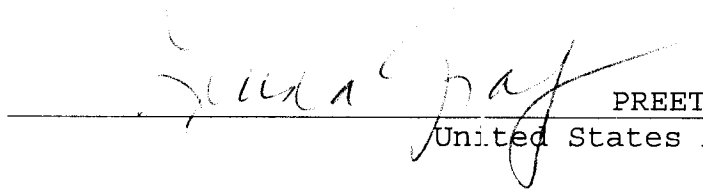
Defendants.

---

INDICTMENT

13 Cr. \_\_\_\_

(18 U.S.C. §§ 1591(a) and (b)(2), 1594(c), 1952 & 2.)

  
\_\_\_\_\_  
PREET BHARARA  
United States Attorney.

---

11/13/13 Fld indictment. Case assigned to Judge Patterson

Norman, USMS

